

**TITLE 11**

**SUBDIVISIONS**

Subdivision Regulations .....Chapter 1

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## ARTICLE 1. GENERAL PROVISIONS

### 11-1-101: PURPOSE:

The purpose of this chapter is to regulate and control the division and reversion to acreage of land within the City and to supplement the provisions of the Subdivision Map Act concerning the design, improvement, and survey data of subdivisions, the form and content of maps, and the procedure to be followed in securing official City approval of such maps, consistent with the City's General Plan, the provisions of this code, and the public health, safety and welfare. [Formerly numbered Section 27-1; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-102: DEFINITIONS:

The following words and phrases whenever used in this chapter, unless the context otherwise clearly indicates, shall be construed as defined herein:

ALLEY: As defined in Section 10-1-203 of this code.

APPROVING BODY: The Council if a final map is to be filed or the Director of Community Development if a parcel map is to be filed.

BOARD: The City Planning Board.

CENTERLINE: A line established by the City Engineer and designated as "centerline", "adopted centerline", or "construction centerline".

COLLECTOR STREET: A street whose primary function is to carry vehicular traffic from local streets to major and secondary arterials.

CONDOMINIUM SUBDIVISIONS: Shall include the conversion of residential real property to condominiums, community apartment projects, or stock cooperative, or new condominiums that require the filing of a final map.

CUL-DE-SAC STREET: A street which is permanently closed to through traffic and for which a turning area is provided at the termination thereof.

DESIGN: The design requirements referred to in Section 66418 of the Subdivision Map Act.

DIRECTOR: The City Planner of the City.

DRAINAGE FACILITY: Any device or structure which may be used to control the flow of water including, but not limited to, pipes, ditches, berms, channels, culverts, gutters, curbs, walls, pavement, debris basins and appurtenant safety devices.

FINAL MAP: A subdivision map prepared in accordance with the provisions of Article 4 of this chapter.



**FLOOD HAZARD:** A potential danger to life, land or improvements due to inundation or to storm water runoff having sufficient velocity to deposit debris, scour the surface soil, dislodge or damage buildings, or erode the banks of watercourses.

**FRONTAGE:** A line or portion of a lot which abuts a public right of way other than the side line of a corner lot.

**FUTURE STREET:** Any real property which the owner thereof has offered to dedicate as a public street or highway, which offer has been rejected by the Council subject to the right of the Council to rescind its action and accept the dedication at a later date.

**GEOLOGICAL HAZARD:** A hazard inherent in the crust of the earth, or artificially created, which is dangerous or potentially dangerous to life, property or improvements due to the movement, failure or shifting of earth.

**IMPROVEMENT:** The improvements referred to in Section 66419 of the Subdivision Map Act.

**INSTRUMENT OF CREDIT:** An instrument of credit from a financial institution which is subject to regulation by the State or Federal government, pledging that the monies necessary to install the improvements are on deposit and guaranteed for payment.

**INUNDATION:** Ponded water or water in motion of sufficient depth to damage property due to the mere presence of water or to the deposit of silt and debris.

**LEASE:** An oral or written agreement or contract, tenancy at will, month to month or similar tenancy.

**LOCAL STREET:** A street whose primary function is providing access to abutting property.

**LOT:** As defined in Section 10-1-203 of this code.

**MAJOR ARTERIAL:** A street whose primary purpose is to move through traffic from freeways to collector and local streets as well as serving larger industrial and commercial centers.

**OWNER:** The person having title to the land proposed to be subdivided or reverted to acreage.

**PAD:** A building site prepared by artificial means, including grading, excavation or filling, or any combination thereof.

**PARCEL MAP:** A subdivision map prepared in accordance with the provisions of Article 7 of this chapter.

**PARKWAY:** That portion of a street or highway which lies between the roadway and right of way line.

**PEDESTRIAN ACCESS RIGHTS:** The right of owners or occupants of land abutting a street or highway to gain access to such street or highway on foot.

**PONDING:** Standing water of minor depths in local depressions.

**PRIVATE STREET:** A parcel of land not dedicated as a public street over which a private easement for street purposes has been granted to the owners of property receiving access therefrom, and the instrument creating such easement has been duly recorded in the office of the County Recorder, and such easement has been determined by the approving body to be adequate and in keeping with the purpose of this chapter.

**REVISED TENTATIVE MAP:** A tentative map that has been revised.

**ROADWAY:** That portion of a street or highway intended to accommodate the movement of vehicular traffic.

**SECONDARY ARTERIAL:** A street whose primary purpose is to move through traffic from freeways and major arterials to collector and local streets as well as serving secondary traffic generators such as small business centers, schools, parks and multiple-family residence areas.

**SERVICE ROAD:** A street, generally parallel and adjacent to a freeway or highway, which affords limited access to such freeway or highway and direct access to abutting property or local streets, or both.

**SERVICE ROAD ISLAND:** That area which lies between the roadways of a limited access arterial and a service road.

**SHEET OVERFLOW:** Water of minor depth or water flowing at velocities less than those necessary to produce serious scars to the earth's surface.

**STREET LIGHTING SYSTEM:** An approved arrangement of ornamental street lighting standards and appliances providing for the lighting of streets or highways.

**SUBDIVIDER:** A person who proposes to divide, divides or causes to be divided real property into a subdivision for himself or others.

**SUBDIVISION:** The division of any improved or unimproved land, shown on the latest equalized county assessment roll as a contiguous unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if separated by roads, streets, utility easements or railroad rights of way.

**SUBDIVISION MAP ACT:** The provisions of Title 7, Division 2 of the State Government Code (Sections 66410–66499.37).

**TENTATIVE MAP:** A subdivision map prepared in accordance with the provisions of Article 2 of this chapter.

VEHICULAR ACCESS RIGHTS: The right of owners or occupants of land abutting a street or highway to gain access to such street or highway by vehicular means. [Formerly numbered Section 27-2; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2930, 2490, 2197.]

11-1-103: ADVISORY AGENCY:

A. Planning Board: For those subdivisions requiring a final map, except condominium subdivisions, the City Planning Board shall make investigations and reports on the design and improvement of the proposed divisions of land and shall constitute the "advisory agency" referred to in the Subdivision Map Act.

B. Community Development Director: For those subdivisions requiring a parcel map and for all condominium subdivisions, the Community Development Director shall make investigations and reports on the design and improvement of the proposed divisions of land and shall have the authority to approve, conditionally approve or disapprove maps, and shall constitute the "advisory agency" referred to in the Subdivision Map Act. [Formerly numbered Section 27-3; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2197.]

11-1-104: UNLAWFUL TO SUBDIVIDE EXCEPT AS AUTHORIZED:

No person shall subdivide real property except as provided in this chapter and the Subdivision Map Act. [Formerly numbered Section 27-4; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

11-1-105: SUBDIVISIONS REQUIRING TENTATIVE AND FINAL MAPS:

A tentative map and final map shall be required for subdivisions of five (5) or more parcels, five (5) or more condominiums, and community apartment projects of five (5) or more parcels, except as otherwise provided in Section 11-1-106 of this article. [Added by Ord. No. 2490; formerly numbered Section 27-4.1; renumbered by Ord. No. 3058, eff. 2/21/87.]

11-1-106: SUBDIVISIONS REQUIRING TENTATIVE AND PARCEL MAPS:

A tentative map and parcel map shall be required for subdivisions of less than five (5) parcels, less than five (5) condominiums, and community apartment projects of less than five (5) parcels, and shall also be required regardless of the number of parcels created if:

A. The land before division contains less than five (5) acres, each parcel created by the division abuts upon a maintained public street and no new dedications of improvements are required by the Council or Board; or

B. Each parcel created by the division has a gross area of twenty (20) acres or more and has an approved access to a maintained public street; or

C. The land consists of a parcel or parcels of land having approved access to a public street which comprises part of a tract of land zoned for commercial or industrial development, and which has the approval of the approving body as to street alignments and widths; or

D. Each parcel created by the division has a gross area of forty (40) acres or more, or each of which is a quarter-quarter section or larger. [Formerly numbered Section 27-5; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2490, 2197.]

#### 11-1-107: CONVEYANCES TO AND FROM GOVERNMENTAL AGENCIES, ETC.:

A parcel map shall not be required for land conveyed to or from a governmental agency, public entity or public utility, or to a subsidiary of a public utility for conveyance to such public utility for rights of way, unless a showing is made in individual cases, upon substantial evidence that public policy necessitates such map. Any conveyance of land to a governmental agency, public entity or public utility shall not be considered a division of land for purposes of computing the number of parcels. [Added by Ord. No. 2490; formerly numbered Section 27-5.1; renumbered by Ord. No. 3058, eff. 2/21/87, 2633.]

#### 11-1-108: SHORT TERM LEASES OF RAILROAD RIGHT OF WAY:

Short term leases terminable by either party (on not more than 30 days' written notice) of a portion of the operating right of way of a railroad corporation defined as such by Section 230 of the Public Utilities Code shall be exempt from Section 11-1-106 of this article unless a showing is made in individual cases, under substantial evidence, that public policy necessitates that a tentative map and parcel map and regulations applicable thereto are necessary. [Added by Ord. No. 2490; formerly numbered Section 27-5.2; renumbered by Ord. No. 3058, eff. 2/21/87.]

#### 11-1-109: LOT LINE ADJUSTMENTS BETWEEN ADJACENT PARCELS:

A lot line adjustment between two (2) or more adjacent parcels, where the land taken from one parcel is added to an adjacent parcel and a greater number of parcels than originally existed is not thereby created, shall be exempt from the parcel map requirements of Section 11-1-106 and 11-1-114 of this article if a waiver is obtained pursuant to the provisions of Section 11-1-713 of this chapter. [Added by Ord. No. 2565; formerly numbered Section 27-5.3; renumbered by Ord. No. 3058, eff. 2/21/87.]

#### 11-1-110: EXCLUSIONS:

This chapter shall not apply to:

A. The financing or leasing of apartments, offices, stores, or similar space within apartment buildings, industrial buildings, commercial buildings and mobilehome parks or trailer parks;

B. Mineral, oil or gas leases;

C. Land dedicated for cemetery purposes under the State Health and Safety Code. [Formerly numbered Section 27-6; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

#### 11-1-111: DESIGN STANDARDS AND IMPROVEMENTS, ETC.:

Subject to the provisions of Section 11-1-112 of this article, no person shall make any division of land described in Section 11-1-104 or 11-1-106 of this article without complying with the design standards and the survey, dedication and improvement requirements of this chapter and Title 10 of this code. [Formerly numbered Section 27-7; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-112: EXCEPTIONS TO DESIGN STANDARDS:

Exceptions may be made to design standards and to dedication and improvement requirements other than those prescribed by Title 10 of this code, if it is found:

A. That the strict application of such standard would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this chapter;

B. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property being subdivided;

C. That the granting of the exception will not be materially detrimental to the public welfare injurious to the property or improvements in the immediate vicinity; and

D. That the granting of the exception will not be contrary to the objectives of this chapter. Such findings shall state the reasons and grounds for making the exception. [Formerly numbered Section 27-8; renumbered by Ord. No. 3058, eff. 2/21/87; 2316, 2197.]

#### 11-1-113: CONSTRUCTION PROHIBITED ON ILLEGAL SUBDIVISION:

No person shall construct or enlarge any building or structure on land divided in violation of this chapter, nor shall any permit be issued for such work. [Formerly numbered Section 27-10; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-114: PARCEL MAP CONVEYANCES, ETC., PROHIBITED BEFORE FILING:

No lot or parcel shown on a parcel map shall be sold, leased, or financed before the map is filed with the County Recorder, except that a person may offer to sell or contract to sell such lots or parcels if the offer or contract provides in writing that the transfer of title, and close of escrow, if any, are conditioned upon the approval and filing of the parcel map before consummation of the sale. [Formerly numbered Section 27-11; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

**11-1-115: VOIDABILITY OF DEEDS OR CONTRACTS VIOLATING THIS CHAPTER, AND OTHER REMEDIES:**

Reference is made to Chapter 7 of the Subdivision Map Act for proceedings, actions and remedies against illegal subdivisions. [Formerly numbered Section 27-12; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

**11-1-116: LAND SUBJECT TO OVERFLOW, PONDING OR HIGH GROUND WATER:**

If any portion of land to be subdivided is subject to sheet overflow or ponding of local storm water, or should the depth to ground water be less than ten feet (10') from the ground surface, the Planning Director shall inform the State Real Estate Commissioner of such fact if the land to be subdivided constitutes "subdivided lands" or a "subdivision" as defined in Sections 11000 and 11004.5 of the State Business and Professions Code. [Formerly numbered Section 27-13; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 2. TENTATIVE MAP FILING

### 11-1-201: FILING OF TENTATIVE MAP:

Tentative maps shall be filed with the Director and shall be processed in accordance with the Subdivision Map Act and the provisions of this chapter. The subdivider shall file as many copies of the tentative map as may be required by the Director. [Formerly numbered Section 27-15; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2930, 2197.]

### 11-1-202: IDENTIFICATION OF TENTATIVE MAP:

Before filing a tentative map, the person preparing the map shall obtain a number from the County Engineer if the map is for a subdivision as defined in the Subdivision Map Act. The number shall be placed upon each copy of the tentative map and shall not be changed or altered unless a new number is assigned to the subdivision by the County Engineer. [Formerly numbered Section 27-16; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-203: IDENTITY OF SUBDIVIDER:

When a tentative map is submitted to the Director, the person filing the map shall show that he is either the owner of the land to be subdivided or the authorized agent of the owner, or that he has an option or contract to purchase the property. [Formerly numbered Section 27-17; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2197.]

### 11-1-204: TENTATIVE MAP PREPARATION:

Tentative maps shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor. [Formerly numbered Section 27-18; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-205: SIZE AND SCALE OF TENTATIVE MAP:

Each tentative map shall clearly show the details of the proposed land division. Wherever practicable, such scale shall be not less than one inch (1") to one hundred feet (100'). [Formerly numbered Section 27-19; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-206: DATA TO BE SHOWN ON TENTATIVE MAP:

As an aid to the advisory agency in considering the proposed plan of land division, the tentative map shall show all of the following data:

- A. Tract number, if a subdivision as defined in the Subdivision Map Act.

- B. Date, north point and scale.
- C. Sufficient legal description of land to define boundaries of proposed division of land.
- D. A key map indicating the location of the proposed division of land in relation to the surrounding area.
- E. The name and address of the record owner, the subdivider and the civil engineer or licensed surveyor under whose direction the map was prepared, including the registration number of the engineer or surveyor.
- F. The existing topography of the land proposed to be divided using contour intervals of not more than five feet (5'), and of not more than two feet (2') where the grade of the land is less than five percent (5%). Contours of adjacent land shall also be shown whenever the surface features of such land affect the design and/or improvement of the proposed division. The tentative map shall contain a statement by the person preparing the map stating the source of contours shown on the map.
- G. The approximate location and outline to scale of each building or structure on the property proposed for division. Buildings or structures on adjacent property shall also be shown if such buildings or structures affect the design of the proposed subdivision. Each building shown shall be identified by house number or other identifying feature, including a notation on each building or structure to be retained.
- H. The approximate location of all areas subject to inundation or storm water overflow and the location, width, and direction of flow of each watercourse.
- I. The approximate location of each area covered by trees with a statement of the nature of the cover and the kind and approximate location of all trees standing within the boundaries of proposed public rights of way.
- J. The location, width, approximate grade and curb radii of all existing and proposed streets and highways within and adjacent to the proposed subdivision.
- K. The width, purpose, and approximate location of all existing and proposed easements or rights of way, whether public or private, within and adjacent to the proposed subdivision.
- L. The approximate radius and arc length of each centerline curve.
- M. The approximate lot layout and the approximate dimensions of each lot and of each building site. Engineering data shall show the approximate finished grading of each lot, the preliminary design of all grading, the elevation of proposed building pads, the top and toe of cut and fill slopes to scale, and the number of each lot; the proposed areas for public use; and the angle of intersecting streets or highways if such angle deviates from a right angle by more than four degrees (4°).
- N. The location of all cut and fill slopes or a separate grading plan.



O. Each street shown by its actual street name or by a temporary name or letter for purpose of identification until the proper name of such street is determined.

P. The name or names of any geologist or soils engineer whose services were required in the preparation of the design of the tentative map. [Formerly numbered Section 27-20; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2197.]

#### 11-1-207: TENTATIVE MAP DATA SHOWN ON SEPARATE STATEMENT:

If the person preparing the tentative map finds it impossible or impractical to place upon the map any matter required by Section 11-1-206 of this article such information shall be furnished in a separate statement which shall be submitted with the map. [Formerly numbered Section 27-21; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-208: SOILS AND GEOLOGICAL REPORTS TO BE FILED WITH TENTATIVE MAP; APPROVAL AND APPEAL:

The person filing the tentative map shall submit a preliminary soils report, prepared by a civil engineer who is registered by the state, based upon adequate test borings or excavations, unless the Building Director shall determine that, due to the knowledge such department has as to the soil qualities of the soil of such subdivision or lot, no preliminary analysis is necessary. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the person filing the tentative map shall submit a soils investigation of each lot in the subdivision, prepared by a civil engineer who is registered in this state, which shall recommend corrective action which is likely to prevent structural damage to each dwelling proposed to be constructed on the expansive soil. The Building Department shall approve the soils investigation if it determines that the recommended action is likely to prevent structural damage to each dwelling to be constructed and shall require that the approved recommended action be incorporated in the construction of each dwelling as a condition to the building permit. Appeal from such determination shall be to the Board of Building and Fire Code Appeals.

If the Building Director finds that a written geological report is necessary to determine whether the property to be divided is subject to an existing or potential geological hazard, the person filing the tentative map shall submit such a report to said Board. The report shall be prepared by a Registered Engineering Geologist. [Formerly numbered Section 27-22; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-209: TENTATIVE MAP EXAMINING FEE:

Prior to the time an application for a tentative map is determined to be complete and accepted for processing, the subdivider shall pay the applicable fees designated in the Burbank Fee Resolution. [Formerly numbered Section 27-23; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2197.]

### ARTICLE 3. TENTATIVE MAP APPROVAL

#### 11-1-301: DISTRIBUTION OF TENTATIVE MAP:

The Director shall, within three (3) days after a tentative map has been filed, forward a copy of the map stamped with the filing date, and any accompanying data, to each of the following:

1. City Manager.
2. Public Works Director.
3. City Engineer.
4. Building Director.
5. General Manager, Public Service Department.
6. Chief of Police.
7. Fire Chief.
8. County Flood Control District.
9. Adjoining municipalities and the County of Los Angeles as and when required by Section 66453 of the Subdivision Map Act.
10. District office of the State Division of Highways as and when required by Section 66455 of the Subdivision Map Act.
11. Real Estate Commissioner if the subdivision constitutes "subdivided lands" or a "subdivision" as defined in Sections 11000 and 11004.5 of the Business and Professions Code.
12. Burbank Unified School District. [Formerly numbered Section 27-24; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2705, 2490, 2197.]

#### 11-1-302: DEPARTMENTAL REPORTS ON TENTATIVE MAP:

Within twenty (20) days of the filing date, each officer, department or public agency given a copy of the tentative map shall file with the Director his or its report, with recommendations, if any, showing what changes are necessary to make the map conform to the requirements of the Subdivision Map Act and of this code. The City Engineer shall make such detailed examination of the tentative map and such field check, if any, as may be necessary to enable him to ascertain compliance with the Subdivision Map Act and this chapter. Failure to submit a report within the time allowed shall be construed as indicating that no recommendation is to be made. [Formerly numbered Section 27-25; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2197.]

#### 11-1-303: ENVIRONMENTAL IMPACT REPORT:

No tentative map filed pursuant to the provisions of this article which may have a significant effect on the environment shall be approved until an environmental impact report is prepared, processed and considered in accordance with the provisions of Title 9, Chapter 3, Article 1 of this code, unless the tentative map is otherwise exempt from the provisions of that article. The subdivider shall provide such additional data and information and deposit and pay such fees as may be required for the preparation and processing of the

environmental impact report. [Added by Ord. No. 2383; formerly numbered Section 27-25.1; renumbered by Ord. No. 3058, eff. 2/21/87.]

#### 11-1-304: EXTENSION OF TIME TO REPORT AND ACT ON TENTATIVE MAP:

Any of the time limits for acting and reporting on tentative maps as specified in this article may be extended by mutual consent of the subdivider and the approving body, as the case may be. [Formerly numbered section 27-308; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2197.]

#### 11-1-305: DEDICATION FOR PUBLIC USE; CONDITION OF TENTATIVE MAP APPROVAL:

Approval of tentative maps shall be conditioned upon those parties having any record title interest in the land subdivided offering to dedicate for public use any and all parcels of land shown and intended for any public use, except those parcels intended for the exclusive use of lot owners in the subdivision, their licensees, visitors, tenants and servants. [Formerly numbered Section 27-309; renumbered by Ord. No. 3255, eff. 7/13/91; 3058, 2197.]

#### 11-1-306: GROUNDS FOR DISAPPROVAL AND REVOCATION OF TENTATIVE MAP:

Tentative maps shall be disapproved if the approving body makes any of the findings contained in Section 66474 of the Subdivision Map Act. Tentative maps shall be disapproved because of flood hazard, inundation, lack of adequate access, lack of adequate water supply or fire protection, insufficient sewerage facilities, potentially hazardous geological conditions, or noncompliance with the requirements of this code, the Subdivision Map Act, or standards, rules or regulations adopted pursuant to Section 66411 of the Subdivision Map Act, and shall be disapproved or revoked if any information furnished is wilfully falsified or the only practical use that can be made of the property as proposed is a use prohibited by any law or valid regulation. If any portion of the land within the boundaries shown on a tentative map of a division of land is subject to flood hazard, inundation or geological hazard and the probable use of the property will require structures thereon, disapproval may be noted on that portion of the map so affected and protective improvements required to be constructed as a condition of approval. [Formerly numbered Section 27-310; renumbered by Ord. No. 3255, eff. 7/13/91; 3058, 2705, 2490, 2197.]

#### 11-1-307: MODIFICATIONS OF TENTATIVE MAP AFTER APPROVAL:

Modifications of an approved or conditionally approved tentative map are authorized but shall be submitted for approval before the final map or parcel map, as the case may be, is submitted to the City Engineer for certification. [Formerly numbered section 27-311; renumbered by Ord. No. 3255, eff. 7/13/91; 3058, 2197.]

11-1-308: EXPIRATION OF TENTATIVE MAP APPROVAL; APPLICATION FOR EXTENSION; REPORT TO BE SUBMITTED:

A. Expiration of Approval: The approval or conditional approval of a tentative map shall expire thirty (30) months from the date the map was approved or conditionally approved if prepared for a parcel map and thirty six (36) months from the date the map was approved or conditionally approved if prepared for a final map.

B. Application for Extension: The person filing the tentative map may request an extension of the tentative map approval by written application to the approving body, such application to be filed at least fifteen (15) days before the tentative map approval or conditional approval is due to expire. The application shall state the reasons for requesting the extension.

C. Report: The Director shall prepare a report supporting or opposing the application.

D. Time Limit on Extension: An extension of not to exceed two (2) years may be granted if the tentative map was prepared for a parcel map or for a final map.

E. Effect of Modifications on Time Limits: Modification of a tentative map after approval shall not extend the time limits imposed by this section. [Formerly numbered section 27-312; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2930, 2877, 2422, 2197.]

ARTICLE 3.1. TENTATIVE MAP APPROVAL FOR MAPS REQUIRING  
FINAL MAPS OTHER THAN CONDOMINIUM SUBDIVISIONS

11-1-309: APPLICABILITY:

In addition to other provisions applicable to tentative maps, the provisions of this article shall govern the processing of all tentative maps relating to subdivisions for which the filing of a final map is required, except condominium subdivisions. [Added by Ord. No. 3255, eff. 7/13/91.]

11-1-310: NOTICE OF BOARD MEETING ON TENTATIVE MAP:

The Director shall notify the subdivider, current occupant(s) of the subject site, and all owners of record of real property and occupants located within a radius of one thousand feet (1,000') of a boundary line of the property to be subdivided of the time, date and place of the meeting at which the Board will act on the tentative map and shall submit to the subdivider prior to such meeting, copies of all reports and recommendations submitted to the Board. Said notice shall also describe the reports and other documents which are being submitted to the Board members for consideration, together with a statement as to where and when copies of such may be inspected or purchased. Notice shall be deemed complied with when a copy thereof is placed in the mail directed to the addressees at their respective designated addresses and bearing the proper postage at least ten (10) days prior to the date of such meeting. Said notice shall also indicate that the Board shall give each person thus notified, or his duly authorized representative, an opportunity to appear and be heard on the matters concerning the proposed subdivision under consideration by the Board. [Formerly numbered Section 27-304; renumbered by Ord. No. 3058, eff. 7/13/91; amended by Ord. No. 3587, eff. 11/3/01; 3255, 3058, 3020, 2930, 2738, 2197.]

11-1-311: BOARD ACTION ON TENTATIVE MAP:

Within fifty (50) but not sooner than twenty (20) days after the tentative map has been filed, the Board shall, by resolution, either approve, conditionally approve, or disapprove the map. The Board shall report its action in writing to the Council in the form of a recommendation. [Formerly numbered Section 27-305; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2490, 2197.]

11-1-312: NOTICE OF COUNCIL MEETING ON TENTATIVE MAP:

The City Clerk shall notify the subdivider, current occupant(s) of the subject site, and all owners of record of real property and occupants located within a radius of one thousand feet (1,000') of a boundary line of the property to be subdivided of the time, date and place of the meeting at which the Council will act on the tentative map and shall submit to the subdivider prior to such meeting, copies of all reports and recommendations submitted to the Council. Said notice shall also describe the reports and other documents which are being submitted to members for consideration, together with a statement as to where and

when copies of such may be inspected or purchased. Notice shall be deemed complied with when a copy thereof is placed in the mail directed to the addressees at their respective designated addresses and bearing the proper postage at least ten (10) days prior to the date of such meeting. Said notice shall also indicate that the Council shall give each person thus notified, or his duly authorized representative, an opportunity to appear and be heard on the matters concerning the proposed subdivision under consideration by the Council. [Formerly numbered Section 27-306; renumbered by Ord. No. 3058, eff. 7/13/91; amended by Ord. No. 3587; eff. 11/3/01; 3255, 3058, 3149, 2197.]

#### 11-1-313: COUNCIL ACTION ON TENTATIVE MAP:

The Council shall act upon the tentative map within thirty (30) days of the receipt of the Board's recommendation. The Council shall approve, conditionally approve or disapprove the tentative map. If the map is disapproved, the grounds for disapproval shall be stated. [Formerly numbered section 27-307; renumbered by Ord. No. 3255, eff. 7/13/91; 3058, 3149, 2705, 2490, 2197.]

## ARTICLE 3.2. TENTATIVE MAP APPROVAL FOR CONDOMINIUM MAPS AND FOR PARCEL MAPS

### 11-1-321: APPLICABILITY:

In addition to other provisions applicable to tentative maps, the provisions of this article shall govern the processing of all tentative maps relating to condominium subdivisions and parcel maps. [Added by Ord. No. 3255, eff. 7/13/91.]

### 11-1-322: NOTICE OF DIRECTOR'S DECISION ON TENTATIVE MAP:

Prior to the Director's decision on a tentative map, public notice of the proposed subdivision; of the Director's pending decision on the application; and on the procedures to request a hearing, shall be mailed to the subdivider, current occupant(s) of the subject site and all owners of record and occupants within a radius of one thousand feet (1,000'). Said notice shall also describe the reports and other documents which have been submitted to the Director for consideration, together with a statement as to where and when copies of such may be inspected or purchased. Notice shall be deemed complied with when a copy thereof is placed in the mail directed to the addressees at their respective addresses and bearing the proper postage at least twenty one (21) days prior to the date of the Director's decision. [Added by Ord. No. 3255, eff. 7/13/91; amended by Ord. No. 3587, eff. 11/3/01.]

### 11-1-323: DIRECTOR'S DECISION ON TENTATIVE MAP:

Within fifty (50) days after the tentative map has been filed, the Director shall either approve, conditionally approve, or disapprove the map. [Added by Ord. No. 3255, eff. 7/13/91.]

### 11-1-324: APPEAL OF DIRECTOR'S DECISION:

If aggrieved by action by the Director that would otherwise be final, the subdivider or interested person may appeal to the Board by filing a notice of appeal with the Director within fifteen (15) days of such action. Any such appeal and the hearing thereon shall be governed by and conducted in conformance with the provisions of subsection (b) of Section 66452.5 of the Subdivision Map Act. In the event multiple appeals are filed, all appeals shall be consolidated into one hearing. [Formerly numbered Section 27-313; amended by Ord. No. 3587, eff. 11/3/01; 3255, 2490, 2197.]

## ARTICLE 4. FINAL MAP SURVEY AND PREPARATION

### 11-1-401: TIME LIMIT FOR FINAL MAP SURVEY AND PREPARATION; EXTENSION:

The subdivider shall, within thirty six (36) months after the approval or conditional approval of a tentative map, cause the proposed subdivision to be accurately surveyed and a final map thereof to be prepared by a registered civil engineer or licensed land surveyor in accordance with the tentative map as approved. Upon application of the subdivider an extension of not exceeding two (2) years may be granted by the Council. [Formerly numbered Section 27-36; renumbered by Ord. No. 3058, eff. 2/21/87; 2877, 2197.]

### 11-1-402: FINAL MAP COMPLIANCE WITH SPECIFICATIONS:

Final maps shall conform to the requirements of this article and any other requirements of the Subdivision Map Act. [Formerly numbered Section 27-37; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-403: PERMANENCY OF FINAL MAP:

Each sheet of the final map shall be legibly drawn, printed or reproduced on tracing cloth or polyester base film using only the face of the sheet, by a process guaranteeing a permanent record in black, except for signatures which must be original. If ink is used on polyester base film, the surface shall be coated with a suitable substance to assure permanent legibility. [Formerly numbered Section 27-38; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-404: ORIENTATION OF FINAL MAP:

The final map and the lettering thereon shall be so oriented that, with the north point directed away from the reader, the sheet may be read most conventionally from the bottom or lower right hand corner of the sheet, the binding edge to be at the left and lengthwise of the sheet, keeping in mind that the sheets are always on the right hand side of the map book, the left hand page being always blank. [Formerly numbered Section 27-39; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-405: SIZE AND FORM OF FINAL MAP:

Each sheet of the final map shall be eighteen inches by twenty six inches (18" x 26") in size, with a marginal line drawn on all four (4) sides leaving a one inch (1") blank margin. [Formerly numbered Section 27-40; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]



#### 11-1-406: TITLE AND LEGEND ON FINAL MAP:

Each sheet of the final map shall bear the main title of the map, the scale of the map, north point and sheet number, together with a designation of the relation, if any, between each sheet and each other sheet thereof. [Formerly numbered Section 27-41; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-407: LOT DESIGNATIONS ON FINAL MAP:

Lots shall be numbered consecutively beginning with the numeral "1" and continuing without omission or duplication throughout the entire subdivision or block. No prefix or suffix nor combination of letter and number shall be used. Each lot shall be shown entirely on one sheet. [Formerly numbered Section 27-42; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-408: BLOCK DESIGNATIONS ON FINAL MAP:

If the subdivider elects to number or letter the blocks of the subdivision, all blocks shall be either numbered in numerical sequence, beginning with the numeral "1", or lettered in alphabetical order beginning with the letter "A", and continuing without omission or duplication throughout the subdivision. Such numbers or letters shall be solid and of sufficient size and thickness as to be conspicuous and shall be so placed as not to obliterate any figure, dimension, or course, and shall not be enclosed in any circle or other design. No block shall be shown on more than one sheet except where necessitated by a scale sufficiently large to show all details clearly. [Formerly numbered Section 27-43; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-409: LOT AREA DESIGNATIONS ON FINAL MAP:

The acreage of each lot containing an area of three-fourths ( $\frac{3}{4}$ ) acre or more shall be shown to the nearest one-hundredth ( $\frac{1}{100}$ ) acre. [Formerly numbered Section 27-44; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-410: BEARING AND LENGTH OF LINES ON FINAL MAP:

The bearing and length of each lot line, block line, and boundary line shall be shown. When bearings or lengths of lot lines in any series of lots are the same, such bearings or lengths may be omitted from each interior parallel lot line of such series. Each required bearing and length shall be shown in full and no ditto mark or other designation of repetition shall be used. [Formerly numbered Section 27-45; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-411: CURVE DATA ON FINAL MAP:

The length, radius, and total central angle or bearings of terminal radii of each curve and the bearings of each radial line to each lot corner on each curve, or the central angle of each segment within each lot, shall be shown. [Formerly numbered Section 27-46; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-412: BOUNDARY MONUMENTS ON FINAL MAP; DURABLE MONUMENT DEFINED:

The final map shall show durable monuments found or set at or near each boundary corner and at intermediate points, approximately one thousand feet (1,000') apart, or at such lesser distances as may be made necessary by topography or culture to ensure accuracy in the reestablishment of any point or line without unreasonable difficulty. The precise position and the character of each such monument shall be shown. If setting of a monument is deferred under Section 11-1-805 of this chapter, the map shall show which monuments are in place and which are to be set. A durable monument is a monument that is at least as substantial as an iron pipe of a two inch (2") outside diameter, and not less than two feet (2') in length, with plug and tack, and set at least two feet (2') into the ground, or of such character and stability as may be approved by the City Engineer. A lead and tack set in permanent concrete or masonry shall be considered a durable monument. [Formerly numbered Section 27-47; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-413: BOUNDARY LINES ON FINAL MAP:

Evidence determining the boundary lines of the subdivision shall be fully and clearly shown and identified by such stakes, monuments, or other evidence determining the boundaries of the subdivision as were found on the ground, together with sufficient corners of adjoining subdivision with record reference, or by section, township and range, or other proper designation as may be necessary to locate precisely the limits of the subdivision. The exterior boundary of the land included within the subdivision shall be indicated by distinctive symbols and clearly so designated. The definite location of the subdivision and particularly its relation to surrounding surveys shall be shown. [Formerly numbered Section 27-48; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

#### 11-1-414: EASEMENTS ON FINAL MAP; PROVISION FOR ACCESS:

The centerline or side lines of each easement to which the lots in the subdivision are subject shall be shown upon the final map. If such easement cannot be definitely located from the records, a statement showing the existence of such easement shall be placed on the title sheet of the final map. All easements for storm drains or storm water channels, public utilities, sanitary sewers, slope rights and other easements shall be designated on the final map by fine dotted lines. Distances and bearings on the side lines of lots which are cut by easements shall be so arrowed or shown that the final map will indicate clearly the actual length and bearing of each lot line. The width of each easement or the lengths and bearings of the lines thereof and sufficient ties thereto to definitely locate it with respect to

the subdivision shall be shown. Each easement shall be clearly labeled and identified, and, if already of record, its record reference shall be shown; if not of record, a statement of such easement shall be placed on the title sheet of the final map. If such easement is being dedicated by the final map, it shall be properly set out in the owner's certificate and dedication on the title sheet of such map. All notes or figures pertaining to easements shall be smaller and lighter than those relating to the subdivision itself. Access to all easements shall be provided. Figures pertaining to easements shall be subordinated in form and appearance to those relating to the subdivision. [Formerly numbered Section 27-49; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-415: STREET WIDTHS AND CENTERLINES ON FINAL MAP:

Each street, or other public way or major public utility right of way within the boundaries of the subdivision shall be shown on the final map. The centerline of each such street or way, the total width thereof, and the width on each side of the centerline thereof, and, in the case of a proposed street or way, the width of that portion to be dedicated, if any, shall also be shown. On each centerline, the bearing and length of each tangent and radius, central angle, and length of each curve shall be indicated. [Formerly numbered Section 27-50; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-416: ADJOINING STREETS AND CENTERLINE ON FINAL MAP:

In the event the City Engineer, State Highway Engineer, or County Engineer shall have established the centerline of any street in or adjoining the subdivision, such centerline shall be shown and the monuments which determine its position indicated with reference to a field book or map showing such centerline. If such position is determined by ties, that fact shall also be indicated on the map. [Formerly numbered Section 27-51; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-417: MAJOR AND SECONDARY ARTERIALS ON FINAL MAP:

Each major or secondary arterial or portion thereof within the boundaries of a subdivision shall be shown in the general location indicated in the circulation element of the General Plan unless the Council finds that there is a reasonable probability that an amendment to the General Plan will cause such arterial to be removed from within the subdivision boundary. [Formerly numbered Section 27-52; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-418: FUTURE STREETS ON FINAL MAP:

The location, width and extent of future streets and alleys shall be shown on the final map and offered for dedication as a public street by a dedicatory clause conforming to the requirements of the Subdivision Map Act. [Formerly numbered Section 27-53; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-419: PRIVATE STREETS ON FINAL MAP:

Any street or way which is intended to be kept physically closed to public travel or posted as a private street at all times may be shown as a private street. Any such private street shall be shown on the map by heavy dashed lines. Sufficient data shall be shown on each private street to define its boundaries, as is required for a public street and also sufficient mathematical data to show clearly the portion of each lot within such street. [Formerly numbered Section 27-54; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-420: STREET AND HIGHWAY NAMES ON FINAL MAP:

The proposed names for streets and highways within the subdivision shall be shown on the final map, spelled out in full and including suffixes such as road, street, avenue, boulevard, place or other designation. Such names shall be submitted to the Public Works Director for approval and if the proposed name is duplicated elsewhere in the City or is so nearly the same in spelling or pronunciation as to cause confusion, some other name may be required. Where possible, streets (except alleys) and highways extending approximately northerly and southerly shall be designated "Street" and those extending approximately easterly and westerly shall be designated "Avenue", except that the name shall be the same as the name of any street or highway of which it is on line of extension, or the name to which such street or highway may be in the process of being changed. Streets or highways which materially change direction shall bear the name and suffix designated by the Public Works Director. The name of each newly dedicated portion of an existing street or highway shall be shown on, or arrowed to, such newly dedicated portion. [Formerly numbered Section 27-55; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-421: FLOOD HAZARD DATA, ETC., ON FINAL MAP:

If any portion of a lot or parcel of a division of land is subject to flood hazard, inundation, or geological hazard, such fact and portion shall be clearly shown on the final map by a prominent note on each sheet of such map whereon any such portion is shown. [Formerly numbered Section 27-56; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-422: DEDICATIONS ON FINAL MAP:

Dedications required by Article 12 of this chapter shall be shown on the final map. [Formerly numbered Section 27-57; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-423: SOILS AND GEOLOGICAL REPORTS, NOTATION ON FINAL MAP:

When a soils or geological report has been prepared, this fact shall be noted on the final map, together with the date of the report and name of the soils engineer or geologist making the report. [Formerly numbered Section 27-58; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

11-1-424: TITLE SHEET AND CERTIFICATES, ETC., ON FINAL MAP:

The title sheet of each final map shall contain:

A. A title consisting of the number of the subdivision, and the words "in the City of Burbank".

B. A subtitle consisting of a description of all of the property being subdivided, referring to such map or maps of the property as shall have been previously recorded, or shall have been previously filed with the County Clerk pursuant to a final judgment in any action in partition, or shall have been previously filed in the office of the County Recorder under authority of Chapter 3, page 2 of Division 4 of the State Business and Professions Code, or by reference to the plan of any United States survey. When necessary for greater clarity or definiteness, supplemental reference may be made to any other map on file in the office of the County Recorder. Each reference to any tract or subdivision shall be so noted as to be an unique description and must show a complete reference to the book and page records of the County.

C. A certificate, signed and acknowledged by all parties having any record title interest in the land subdivided, consenting to the preparation and recordation of the final map, as required by Section 66435 of the Subdivision Map Act. Where any signatures are omitted, the names of such parties and the nature of their respective interest shall be endorsed on the map and when required by Section 66436 of the Subdivision Map Act, a reasonable statement of the circumstances preventing the procurement of such signatures shall be included.

D. In case of dedication, a certificate signed and acknowledged by those parties having any record title interest in the land subdivided, offering certain parcels of land for dedication for certain specified public uses; subject to such reservations as may be contained in any such offer, as required by Section 66439 of the Subdivision Map Act. If the offer includes dedication for street or highway purposes, such certificate shall include a waiver of direct access rights to any such street or highway from any property shown on the final map as abutting thereon if such waiver was required by the Council at the time of its approval of the tentative map as a condition precedent to the approval of the final map.

E. A certificate for execution by the City Clerk as required by Section 66440 of the Subdivision Map Act.

F. A certificate executed by the engineer or surveyor responsible for the survey and final map, as required by Section 66441 of the Subdivision Map Act.

G. A certificate for execution by the County Engineer substantially in the following form:

*I hereby certify that I have examined this map; that it complies with applicable State law; and that I am satisfied that this map is technically correct in all respects not certified to by the City Engineer.*

H. A certificate for execution by the City Engineer substantially in the following form:

*I hereby certify that I have examined this map; that it conforms substantially to the tentative map and all approved alterations thereof; that all provisions of applicable subdivision ordinances of the City of Burbank have been complied with; and that I am satisfied that this map is technically correct with respect to City records.*

I. The basis of bearings, making references to some recorded subdivision map, County Surveyor's map, or other record acceptable to the City Engineer, or to a solar or polaris observation. If this information does not appear on the title sheet it shall be shown on one of the other map sheets.

J. Signatures of parties having a record interest in the land subdivided unless waived as provided in Section 11-1-605 of this chapter. All stamped or written matter, including signatures, shall be made with opaque ink so that legible blue line prints may be obtained therefrom. [Formerly numbered Section 27-59; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

#### 11-1-425: FINAL MAPS FOR SEPARATED PARCELS:

When property is separated or divided by any parcel of land other than a public right of way or major public utility right of way and when the property is not contiguous exclusive of such rights of way, each portion of the property so separated or divided shall be divided as a separate parcel and shall be shown on a separate map. [Formerly numbered Section 27-60; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 5. FINAL MAP FILING

### 11-1-501: SUBMISSION OF FINAL MAP TO COUNTY ENGINEER:

Prior to filing, the subdivider shall first submit the final map to the County Engineer for examination and such field check, if any, as may be necessary to enable him to make the certificate set forth in subsection 11-1-424G of this chapter, and concurrently with such submission the subdivider shall pay to the County Engineer for such services a fee sufficient to defray the County's direct and indirect costs for providing this service as such fees are from time to time determined by the County Auditor. If the final map complies with applicable State law and the County Engineer is satisfied that the map is technically correct in all respects not certified to by the City Engineer, he shall within twenty (20) days from the time said final map was submitted to him complete his certificate and return the final map to the subdivider. [Formerly numbered Section 27-61; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-502: SUBMISSION OF FINAL MAP TO CITY ENGINEER:

Within thirty six (36) months after approval or conditional approval of the tentative map or within such extension as shall have been granted by the Council, not exceeding two (2) years, and when all the certificates which appear on the final map, except the approval certificate of the Council and the certificate of the City Engineer, have been signed and, where necessary, acknowledged, the final map may be submitted to the City Engineer for examination and certification provided all other provisions of this article are concurrently complied with. The map shall be accompanied by as many prints as the City Engineer may deem necessary. The map may be submitted for a preliminary review before it is submitted for certification. The City Engineer shall make such detailed examination of the final map and such field check, if any, as may be necessary to enable him to ascertain compliance with this chapter and to make on the final map the certificate set forth in subsection 11-1-424H of this chapter. [Formerly numbered Section 27-62; renumbered by Ord. No. 3058, eff. 2/21/87; 2877, 2197.]

### 11-1-503: CONFORMITY OF FINAL MAP WITH TENTATIVE MAP:

If the final map substantially conforms to the approved tentative map and any approved alterations thereof, and all conditions imposed in connection with the approval of the tentative map and the requirements of this chapter have been complied with, the City Engineer shall, within twenty (20) days from the time said final map was submitted to him, complete his certificate and file the same with the Council. If the final map does not substantially conform to the approved tentative map, and any approved alterations thereof, or such conditions or requirements as have been imposed, have not been complied with, the final map shall not be certified by the City Engineer and he shall advise the subdivider in writing of such deficiencies. [Formerly numbered Section 27-63; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

**11-1-504: ADDITIONAL COPY OF FINAL MAP SHOWING STRUCTURES IN EASEMENTS:**

If the final map offers to dedicate easements, it shall be accompanied by an additional copy showing all structures existing within the easements except publicly owned storm drains, water lines, sewers and other sanitary facilities, whether such structures are on the recorded easements or not. [Formerly numbered Section 27-64; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

**11-1-505: FINAL MAP EXAMINING FEE:**

At the time of filing the final map for processing, the subdivider shall pay the fee designated in the Burbank Fee Resolution. [Formerly numbered Section 27-65; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2197.]

**11-1-506: EVIDENCE OF TITLE TO ACCOMPANY FINAL MAP:**

No final map shall be accepted for filing unless it is accompanied by a certificate of title or policy of the title insurance issued by a title company authorized by the laws of the State to write such insurance, showing the names of all persons having any record title interest in the land to be subdivided and the nature of their respective interests. [Formerly numbered Section 27-66; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

**11-1-507: COUNTY TAX COLLECTOR'S CERTIFICATION TO ACCOMPANY FINAL MAP:**

No final map shall be filed for approval or accepted for filing unless it is accompanied by a certification of the County Tax Collector that there are no liens for unpaid State or County, municipal or local taxes or special assessments collected as taxes, except taxes or special assessments not yet payable, against any of the land subdivided. [Formerly numbered Section 27-67; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

**11-1-508: CONDOMINIUM AND COMMUNITY APARTMENT PROJECTS; DOCUMENTS TO ACCOMPANY FINAL MAP:**

In a subdivision consisting of a condominium project or community apartment project a copy of a typical deed to all units together with a copy of the proposed covenants, conditions and restrictions shall be submitted for acceptance by the Director prior to the filing of the final map. [Formerly numbered Section 27-68; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2725, 2490, 2197.]



## ARTICLE 6. FINAL MAP APPROVAL AND RECORDING

### 11-1-601: FINAL MAP; FILING FOR APPROVAL:

When all the certificates which appear on the final map, except the approval certificate of the Council, have been signed and, where necessary, acknowledged, the final map may be filed with the Council for approval. [Formerly numbered Section 27-69; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-602: TIME LIMIT FOR FINAL MAP APPROVAL BY COUNCIL; EXTENSION:

If the final map conforms to all the requirements of the Subdivision Map Act and the provisions of this chapter applicable at the time of approval of the tentative map, or any rulings made thereunder, the Council shall, at its next meeting or within a period of ten (10) days after the filing, approve the final map; provided, however, if the Council makes any of the findings contained in Section 66474 of the Subdivision Map Act the Council shall disapprove such final map unless the Council also finds that it has previously approved a tentative map for the proposed subdivision and that the final map is in substantial compliance with the previously approved tentative map. The time limit for such approval or disapproval may be extended by mutual consent of the subdivider and the Council. [Formerly numbered Section 27-70; renumbered by Ord. No. 3058, eff. 2/21/87; 2705, 2197.]

### 11-1-603: COUNCIL ACCEPTANCE OR REJECTION OF OFFERS OF DEDICATION:

The Council when it approves a final map shall at that time also accept, subject to improvement, or reject, any or all offers of dedication. [Formerly numbered Section 27-71; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-604: UNCOMPLETED IMPROVEMENTS AT TIME OF FINAL MAP APPROVAL:

Unless the streets and easements have been improved and accepted, the subdivider shall prior to or concurrently with the approval of the final map and the acceptance of such streets and easements, execute an agreement or contract for such improvements satisfactory to the Council and post improvement security, in accordance with the provisions of Sections 66462 and 66499 through 66499.6 of the Subdivision Map Act and of this code. [Formerly numbered Section 27-72; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2274, 2197.]

### 11-1-605: WAIVER OF SIGNATURES ON FINAL MAP:

To the extent permitted by Section 66436 of the Subdivision Map Act the Council may waive signatures on the final map of parties having a record title interest in the land subdivided. The names of such parties and the nature of their respective interests shall be endorsed on

the map and, when required by Section 66436 of the Subdivision Map Act, a reasonable statement of the circumstances preventing the procurement of such signatures shall be included. [Formerly numbered Section 27-73; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

#### 11-1-606: DISPOSITION OF FINAL MAP AFTER APPROVAL:

Subsequent to the approval of the final map by the Council, the City Clerk shall transmit the map for recordation as required by the Subdivision Map Act. [Formerly numbered Section 27-74; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-607: SUBDIVIDER TO FURNISH COPIES OF FINAL MAP:

Prior to submission of the final map to Council, the subdivider shall pay a deposit to the City in an amount specified in the Burbank Fee Resolution. Within thirty (30) days of recordation of the final map with the County Recorder, the subdivider shall submit a copy of each sheet of the final map on reproducible cloth and six (6) prints of each map to the City Engineer and the deposit shall be refunded to subdivider. If the subdivider does not submit the copies of the map as required pursuant to this section, the deposit shall be forfeit and retained by the City. [Formerly numbered Section 27-75; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2197.]

#### 11-1-608: FAILURE TO RECORD FINAL MAP WITHIN TIME:

Any failure to record a final map within eighteen (18) months from the approval or conditional approval of the tentative map, or if an extension thereof has been granted by the Council within the period of such extension (not to exceed 2 years), shall terminate all proceedings. Before a final map may thereafter be recorded a new tentative map shall be submitted. [Formerly numbered Section 27-76; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-609: MODIFICATIONS TO FINAL MAPS:

A final map filed in the office of the County Recorder may be modified by an amending map or certificate of correction if the City Council finds: a) that there are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary and that the modifications do not impose any additional burden on the present fee owner of the property; b) such modifications do not alter any right, title, or interest in the real property reflected on the recorded map; and c) the map as modified conforms to the provisions of Section 66474 of the Subdivision Map Act. Requests for amendment shall be filed with the Community Development Department in a form prescribed by the Director. The applicant shall pay the fee required for a subdivision map as established in the Fee Resolution.

Any such modification shall be set for public hearing before the Planning Board and the City Council in accordance with Sections 11-1-310 and 11-1-312 of this chapter. The Planning Board shall make a recommendation to the City Council on the approval or denial of the requested modifications, based on its ability or inability to make the aforementioned findings. All hearings shall be confined to consideration of and action on the proposed modification. [Added by Ord. No. 3476, eff. 12/27/97.]

## ARTICLE 7. PARCEL MAPS

### 11-1-701: PREPARATION OF PARCEL MAP:

Parcel maps shall be prepared by or under the direction of a registered civil engineer or licensed land surveyor in accordance with the provisions of Section 66445 of the Subdivision Map Act. [Formerly numbered Section 27-77; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

### 11-1-702: FLOOD HAZARD DATA ON PARCEL MAP:

If any portion of a lot or parcel of a division of land is subject to flood hazard, inundation, or geological hazard, such fact and portion shall be clearly shown on the parcel map by a prominent note on each sheet of such map whereon any such portion is shown. [Formerly numbered Section 27-78; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-703: CERTIFICATE OF SURVEY ON PARCEL MAP:

The registered civil engineer or licensed land surveyor preparing the parcel map shall certify the map as required by Section 66449 of the Subdivision Map Act. [Formerly numbered Section 27-79; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

### 11-1-704: SUBMISSION OF PARCEL MAP TO COUNTY ENGINEER; CERTIFICATE AND FEE:

Parcel maps shall first be submitted to the County Engineer for examination as to conformance with the requirements of Section 66444 of the Subdivision Map Act as it applies to State law. Within twenty (20) days after receiving any such map, or within such additional time as may be reasonably necessary, the County Engineer shall examine it for the survey information shown thereon, and mathematical accuracy, and if he is satisfied that it is technically correct and in conformance with the requirements of said section as it applies to State law, he shall place a certification on the map in accordance with the requirements of Section 66450 of the Subdivision Map Act. The fee for this service shall be such amount as may from time to time be determined by the County Auditor as sufficient to defray the county's direct and indirect cost for providing this service. This fee shall be paid by the subdivider direct to the County Engineer. [Formerly numbered Section 27-80; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

### 11-1-705: SUBMISSION OF PARCEL MAP TO CITY ENGINEER; CERTIFICATE AND FEE:

After the County Engineer has affixed his certificate to the parcel map it shall be submitted to the City Engineer for examination as to conformance with the requirements of Section 66444 of the Subdivision Map Act as it applies to this code. Within twenty (20) days after

receiving the parcel map, or within such additional time as may be reasonably necessary, the City Engineer shall examine it for the survey information shown thereon, and if he is satisfied that it is technically correct and in conformance with the provisions of this chapter he shall place a certification on the map in accordance with the requirements of Section 66450 of the Subdivision Map Act. The subdivider shall, at the time of submitting the parcel map to the City Engineer, pay the appropriate fees designated in the Burbank Fee Resolution. [Formerly numbered Section 27-81; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2490, 2197.]

#### 11-1-706: NOTICE OF DECISION ON PARCEL MAP:

The Director shall notify the subdivider and all owners of record of real property within the boundaries specified in and in the manner set forth in Article 3.2 of this chapter. [Added by Ord. No. 2738; formerly numbered Section 27-81.1; amended by Ord. No. 3255, eff. 7/13/91; 3058, 3020, 2930.]

#### 11-1-707: APPROVAL OF PARCEL MAP BY DIRECTOR OF COMMUNITY DEVELOPMENT; TRANSMITTAL TO COUNCIL BY DIRECTOR:

After certification by the City Engineer, the Parcel Map shall be submitted to the Director of Community Development for approval. The Director of Community Development shall not approve a Parcel Map unless all conditions imposed upon the approval of the tentative map have been satisfied or improvement security has been posted in an amount sufficient to assure performance of the conditions which remain unsatisfied. After approval and before the Parcel Map is filed with the County Recorder, the Director shall notify the Council in writing of the Director of Community Development's action and transmit with such notification any dedications accepted by the City Engineer. [Formerly numbered Section 27-82; amended by Ord. No. 3330, eff. 2/27/93; 3255, 3058, 2930, 2488, 2197.]

#### 11-1-708: PARCEL MAP DEDICATIONS:

If dedications or offers of dedications are required, such dedications shall be completed prior to the filing of the Parcel Map with the County Recorder. Dedications or offers of dedication shall be in such terms as to be binding on the owner, his or her heirs, assigns, or successors in interest and shall continue until the City Engineer accepts or rejects such dedication or offer of dedication. Dedications or offers of dedication may be by separate instrument. [Formerly numbered Section 27-83; amended by Ord. No. 3330, eff. 2/27/93; 3058, 2197.]

#### 11-1-709: IMPROVEMENTS TO BE COMPLETED PRIOR TO FILING PARCEL MAP:

All improvements of public or private streets, highways, ways or easements necessary for local traffic, drainage or sanitary needs required as a condition of approval of the tentative map shall be completed prior to filing of the parcel map with the County Recorder unless improvement security has been posted in an amount sufficient to assure completion of such

improvements. [Formerly numbered Section 27-84; renumbered by Ord. No. 3058, eff. 2/21/87; 2488, 2197.]

#### 11-1-710: TITLE POLICY TO ACCOMPANY PARCEL MAP:

No parcel map shall be accepted for approval unless it is accompanied by a policy of title insurance issued by a reputable title company showing all parties who have any record interest in the land to be subdivided. [Formerly numbered Section 27-85; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-711: FILING OF PARCEL MAP WITH COUNTY RECORDER; SUBDIVIDER TO FURNISH COPIES TO CITY ENGINEER:

Following approval by the Director of Community Development and compliance with the other provisions of this article, the parcel map shall be returned to the County Engineer who shall present the map to the County Recorder for filing. After filing with the County Recorder the subdivider shall furnish the City Engineer with six (6) prints of the filed parcel map and one copy on reproducible cloth. [Formerly numbered Section 27-86; amended by Ord. No. 3255, eff. 7/13/92; 3058, 2197.]

#### 11-1-712: FAILURE TO FILE PARCEL MAP WITHIN TIME:

Any failure to file a parcel map with the County Recorder within thirty (30) months from the approval or conditional approval of the tentative map, or, if an extension thereof has been granted by the Director of Community Development, within the period of such extension (not to exceed 2 years), shall terminate all proceedings. Before a parcel map may thereafter be filed, a new tentative map shall be submitted. [Formerly numbered Section 27-87; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2877, 2197.]

#### 11-1-713: WAIVER OF PARCEL MAPS:

A. Eligibility for Waiver: A parcel map may be waived for those projects eligible under the Subdivision Map Act and this code.

B. Request for Waiver: Waiver requests shall be made in writing on a standardized form provided by the Director. The request shall include:

1. A request for waiver, signed and acknowledged by all owners of record of the land comprising the land division.
2. A description of each proposed parcel.
3. If requested by the Director of Community Development, a plat map, showing sufficient ties, dimensions, and bearings to adequately establish the boundaries of the land division and of each proposed parcel. Record information, when available, may be utilized. The Director of Community Development may require the submission of such documentation, including a preliminary title report, as he deems necessary to verify the

information presented in the request for waiver. All submissions shall be legible and readily reproducible.

Before approval of a request for waiver, the subdivider shall complete or guarantee completion of the conditions of approval as if a parcel map were to be filed.

C. Fees: Upon submission of a request for waiver, the subdivider shall pay a filing fee as designated in the Burbank Fee Resolution and a sum of money equal to the amount required by law for filing with the County Recorder a certificate of compliance for the parcels comprising the division.

D. Waiver Procedure: Within twenty (20) days after acceptance of a request for waiver or within such additional time as may be necessary, the Director of Community Development may waive the requirement that a parcel map be filed if he finds:

1. That the design of each parcel described in the request for waiver is in substantial conformance with the tentative map, as approved.

2. That the proposed land division complies with all applicable requirements as to area, improvement and design, flood and water drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, environmental protection and other requirements of the Subdivision Map Act and of this code. When a waiver is granted pursuant to this section, the Director of Community Development shall, within ten (10) working days, cause a certificate of compliance, describing each approved parcel, to be filed for record with the County Recorder. The certificate of compliance shall state that the requirement that a parcel map of the division of land be filed has been waived and that the parcels comprising the division may be sold, leased, financed, or transferred in full compliance with all applicable provisions of the Subdivision Map Act and of this chapter.

E. Time Limit: The procedures set forth in this section shall be completed within the period prescribed by Section 11-1-712 of this article for filing a parcel map. [Added by Ord. No. 2565; formerly numbered Section 27-87.1; amended by Ord. No. 3255, eff. 7/13/91; 3058, 2930.]

## ARTICLE 8. SURVEYS AND MONUMENTS

### 11-1-801: SURVEY PROCEDURE AND PRACTICE:

The procedure and practice of all survey work done on any division of land, whether for preparation of a parcel or final map shall conform to the standards and details set forth in the Land Surveyor's Act, Chapter 15, Division 3, of the State Business and Professions Code. The allowable error or closure on any portion of a final map or parcel map shall be 1/10,000. If the City Engineer, County Engineer, County Road Commissioner, or State Highway Engineer shall have established the centerline of any street or alley in or adjoining a division of land, the parcel or final map shall show such centerline, together with reference to a field book or map showing such centerline and the monuments which determine its position. If determined by ties, that fact shall be stated upon the parcel or final map. [Formerly numbered Section 27-88; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-802: STREET CENTERLINE MONUMENTS:

Whenever necessary in the opinion of the City Engineer, centerline monuments shall be set to mark the intersections of streets, intersections of streets with the tract boundary, or to mark either the beginning and end of curves or the points of intersection of tangents thereof, or other intermediate points. Each such monument shall be not less durable and substantial than:

- A. A lead and tack, if set in asphaltic concrete or cement concrete pavement.
- B. A two inch (2") iron pipe set not less than twelve inches (12") below the surface, or at such depth as may be approved by the City Engineer, if set in unsurfaced graveled or oiled surface.
- C. A spike of not less than six inches (6") long, if set in bituminous macadam pavement. [Formerly numbered Section 27-89; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-803: NOTES OF TIES TO BE FURNISHED:

For each centerline intersection monument set the engineer or surveyor under whose supervision the survey has been made shall furnish to the City Engineer a set of notes showing clearly the ties between such monument and a sufficient number (normally 4) of durable distinctive reference points or monuments. Such reference points or monuments may be leads and tacks in curbs or sidewalks, or two inch by two inch (2" x 2") stakes set back of the curb line and below the surface of the ground, or such substitute therefor as appears to be not more likely to be disturbed.

Such set of notes shall be of such quality, form and completeness and shall be on paper of such quality and size as may be necessary to conform to the standardized office records of the City Engineer. All such notes shall be indexed and filed by the City Engineer as a part of



the permanent records of the Public Works Department. [Formerly numbered Section 27-90; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-804: IDENTIFICATION MARKS ON MONUMENTS:

All monuments set as required in this article shall be permanently and visibly marked or tagged with the registration or license number of the engineer or surveyor under whose supervision the survey was made. [Formerly numbered Section 27-91; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-805: DEFERRING SETTING OF MONUMENTS:

All exterior boundary monuments shall be set prior to recordation of the final map or parcel map unless extensive grading operations or improvement work makes it impractical to set monuments. If any or all of the boundary monuments required are to be set subsequent to recordation of the final map or parcel map, the engineer or surveyor making the survey shall furnish evidence acceptable to the City Engineer prior to submitting the final map or parcel map to substantiate his reasons for deferring the setting of permanent monuments until after recordation of the final map or parcel map. If the setting of boundary monuments is deferred, field notes showing the boundary survey shall be presented to the City Engineer at the time the final map or parcel map is submitted for checking. Interior monuments need not be set at the time the final map or parcel is recorded if the provisions of Section 64496 of the Subdivision Map Act are complied with. As to any monuments which are to be set subsequent to recordation of the final map or parcel map, the provisions of Section 66497 and 66498 of the Subdivision Map Act shall apply and be complied with. [Formerly numbered Section 27-92; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

#### 11-1-806: CITY ENGINEER TO INSPECT AND APPROVE MONUMENTS:

All monuments shall be subject to inspection and approval of the City Engineer in conjunction with his checking of the map. [Formerly numbered Section 27-93; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 9. REVERSION TO ACREAGE

### 11-1-901: REVERSIONS TO ACREAGE:

Land previously subdivided may be restored to acreage with the approval of the Board in case the land was subdivided by a parcel map, or the Council in case the land was subdivided by a final map, if the provisions of Article 1, Chapter 6 of the Subdivision Map Act and of this article are complied with. [Formerly numbered Section 27-94; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

### 11-1-902: TENTATIVE MAP FOR REVERSION TO ACREAGE:

A tentative map in conjunction with such reversion shall be filed with the Board and shall be processed by the Board and the Council in accordance with the provisions of Articles 2 and 3 of this chapter. As a condition of approval of such tentative map, dedication of land for public streets, highways or easements may be required. [Formerly numbered Section 27-95; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-903: FILING FEE FOR REVERSION TO ACREAGE:

Upon submission of an application for a reversion to acreage, the applicant shall pay the appropriate fees designated in the Burbank Fee Resolution. [Formerly numbered Section 27-96; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2197.]

### 11-1-904: MAP DATA FOR REVERSION TO ACREAGE:

Any map submitted for a reversion to acreage shall be accompanied by evidence of title and non-use or lack of necessity of streets or easements which are to be vacated or abandoned. Any streets or easements to be left in effect after the reversion shall be adequately delineated on the map. Also, the map shall contain a subtitle consisting of the words: "A reversion to acreage of ...(insert a legal description of the land being reverted)" and also a reference to the parcel map number or a subdivision tract number, as the case may be. [Formerly numbered Section 27-97; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-905: PUBLIC HEARING ON REVERSION TO ACREAGE:

After the tentative map on a reversion to acreage has been approved or conditionally approved, a final map conforming to such tentative map and the provisions of Articles 4 and 5 of this chapter may be recorded providing a public hearing on the proposed reversion to acreage is had before the Board in the case of a parcel map reversion or the Council in the case of a final map reversion and public notice of such hearing is given in a newspaper of general circulation within the area affected, at least once in each of two (2) weeks immediately preceding the hearing. [Formerly numbered Section 27-98; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-906: DELIVERY OF REVERSION MAP TO COUNTY RECORDER:

After the holding of the hearing and approval of the reversion by the Board or Council as the case may be, the map shall be delivered to the County Recorder. [Formerly numbered Section 27-99; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-907: EFFECT OF FILING REVERSION MAP WITH THE COUNTY RECORDER:

The filing of the map with the County Recorder shall constitute legal reversion to acreage of the land affected thereby, and shall also constitute abandonment of all streets and easements not shown on the map. [Formerly numbered Section 27-100; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 10. STREET DESIGN

### 11-1-1001: ARTERIAL AND COLLECTOR STREETS:

Arterial and collector streets shall conform to the following requirements:

A. Alignment of Streets: Alignment shall be substantially an extension of existing streets in the City modified only to fit conditions of terrain and purpose, in conformance with this article.

B. Centerline Curve Radius of Streets: The centerline curve radius shall be not less than:

1. One thousand five hundred feet (1,500') on arterial streets in nonmountainous areas.
2. One thousand feet (1,000') on collector streets in nonmountainous areas.
3. Three hundred feet (300') on arterial and collector streets in mountainous areas if reduction below the limits for nonmountainous areas is approved by the Public Works Director. [Formerly numbered Section 27-101; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1002: PART WIDTH ARTERIAL AND COLLECTOR STREETS:

Part width arterial and collector streets, and reservations of easements therefor, lying along and abutting the subdivision boundary shall have such width as will conform to existing streets or to future extensions of such streets in conformance with this article. [Formerly numbered Section 27-102; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1003: STREET LAYOUT TO CONFORM TO GRADE SEPARATIONS:

The street layout of arterial and collector streets shall conform to the City's grade separation plan at crossings of railroad and rapid transit rights of way if the General Plan provides for a grade separation. [Formerly numbered Section 27-103; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1004: BRIDGE APPROACHES:

Subdivision of land abutting an approach to an existing or proposed bridge shall be arranged so that the street layout adequately provides for the approach. [Formerly numbered Section 27-104; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1005: LOCAL STREETS:

Local Streets shall conform to the following requirements:

A. Street System: The street system shall relate to existing streets in the area adjoining the subdivision, shall as far as practicable be in alignment with existing adjacent streets or their proper projection, and shall be in general conformity with the General Plan; provided that in cases where the holdings are large enough, a modified curved street layout may be required or permitted if such layout will not interfere with the general street plan. Boundary connections to adjoining unsubdivided property may be required.

B. Cul-De-Sac Streets: Cul-de-Sac streets shall not exceed five hundred feet (500') in length and shall be provided with a turning area at the terminus thereof with a minimum right of way radius of forty feet (40').

C. Curved Streets: Curved streets shall have a centerline radius of not less than two hundred fifty feet (250') wherever practicable. Reverse curves shall be separated by a minimum one hundred foot (100') tangent section except when otherwise approved by the Public Works Director.

D. Dead End Streets: Dead end streets and alleys shall be avoided unless approved by the Public Works Director. If approved, adequate provision shall be made at the end of the street or alley for drainage and a turning area with a minimum roadway radius of thirty five feet (35') and a minimum right of way radius of forty feet (40'). [Formerly numbered Section 27-105; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1006: STREET INTERSECTIONS:

Streets shall intersect at as nearly a right angle as is practicable. The block corners in residential districts shall be rounded at the property line by a radius of not less than fifteen feet (15'), and in commercial districts or on lots adjacent to a collector or arterial street by a radius of not less than twenty feet (20'). A suitable diagonal cutoff equivalent to rounding the block corner may be permitted. [Formerly numbered Section 27-106; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1007: FUTURE STREETS:

Future streets and alleys shall be provided where it is determined that a street or alley is necessary for the future subdivision of the property being subdivided or adjoining property. Future street strip lots may be required at the terminus of dead end streets and along that portion of a street being dedicated on a partial width basis. [Formerly numbered Section 27-107; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1008: STREET GRADES:

No arterial or collector street shall have a grade of more than six percent (6%) except for short stretches where the topography makes it impractical to keep within such grade. In no case shall the grade exceed eight percent (8%), except where evidence satisfactory to the approving body shows that a lower grade is not possible.

On hillside streets, the grade shall be kept as low as possible, bearing in mind the advantageous development of the property, but no hillside street shall have a grade of more than ten percent (10%), except where evidence satisfactory to the approving body shows that it is impractical to keep within such grade. In no case shall the grade exceed fifteen percent (15%). Streets having grades between ten percent (10%) and fifteen percent (15%) shall in no case exceed one thousand feet (1,000') in length. [Formerly numbered Section 27-108; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1009: RIGHT OF WAY, ROADWAY, PARKWAY AND MEDIAN WIDTHS:

Each street shall have right of way, roadway, parkway and median widths conforming to the following (numbers indicate width in feet):

Type of Street	Rt.-of-Way <u>Min. Std.</u>		Roadway <u>Min. Std.</u>		Parkway <u>Min. St.</u>		Media <u>Min. Std.</u>	
Local	56	60	36	-	10	12	--	
Collector	60	64	40	-	10	12	--	
Secondary								
Arterial	80	100	60	64	10	16	--	
Major Arterial								
4 Lanes	98	118	78	86	10	16	10	14
6 Lanes	122	142	102	110	10	16	10	14

Streets shall conform to the above standards (Std.) unless the approving body determines that the widths specified as standard are not practical. Where no standard width is specified but a minimum width is indicated, the approving body may require a width in excess of the minimum. Such widths shall not be reduced below the minimums (Min.) specified except that in hillside or mountainous areas the above widths may be reduced below the minimums specified where evidence satisfactory to the approving body shows that such widths are impractical. [Formerly numbered Section 27-109; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1010: ALLEYS:

Alleys shall be provided where needed at the rear of all lots. Where two (2) alleys intersect, a cutoff of not less than ten feet (10') along each alley shall be provided. [Formerly numbered Section 27-110; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1011: WIDTH OF ALLEYS:

Alleys shall be at least twenty feet (20') wide. The approving body may require that an alley be at least thirty feet (30') wide at the rear of lots where the property is to be used for multiple residential, commercial or industrial use. [Formerly numbered Section 27-111; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1012: PEDESTRIAN WALKS:

A pedestrian right of way of a minimum width of ten feet (10') may be required through the middle of blocks which are excessively long and to provide convenient access to schools, parks, playgrounds, shopping centers, or adjacent streets. No such pedestrian way shall have a grade exceeding thirty percent (30%); provided that where stairways are made a part of the pedestrian way, the grade of the stairways shall not exceed seventy five percent (75%). [Formerly numbered Section 27-112; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1013: PRIVATE STREETS:

No private street shall be permitted in any subdivision, except where the approving body determines that a private street system will adequately serve the proposed subdivision, will not be a substantial detriment to the adjoining properties, will not disrupt or prevent the establishment of an orderly street pattern within the City, and will be constructed, improved and maintained in accordance with standard specifications for City streets. The design and improvement of any such private street shall be subject to all of the requirements prescribed by this chapter for public streets. In the event private streets are permitted in any subdivision, the area devoted to such purpose shall be excluded in applying the density standards of the zone in which the subdivision is located, and in determining the maximum number of residential units permitted in a condominium pursuant to the provisions of Section 11-1-1107C of this chapter. [Formerly numbered Section 27-113; renumbered by Ord. No. 3058, eff. 2/21/87; 2324, 2197.]

## ARTICLE 11. LOT DESIGN

### 11-1-1101: LOT AREA, WIDTH AND DEPTH:

Each residential lot shall have a minimum width, depth and area to comply with the requirements specified in Article 6 of Title 10 of this code for the zone in which the lot is located unless a variance is granted pursuant to the provisions of Title 10, Article 19, Division 3 of this code. Lots in commercial and industrial zones shall have a minimum average width of forty feet (40') and a minimum area of four thousand eight hundred (4,800) square feet. [Formerly numbered Section 27-114; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1102: LOT FRONTAGE:

Each lot shall front on a dedicated street. In no case shall a lot intended for residential use have a frontage of less than twenty feet (20'), except that in hillside areas the approving body may in the exercise of sound discretion approve narrower frontage if necessitated by the terrain. Where lots adjoin arterial or collector streets, they shall front on such streets; and where they adjoin local streets, they shall front on the streets which parallel the long dimension of the block. Key lots and double frontage lots are not permitted if they can be avoided. [Formerly numbered Section 27-115; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1103: LOT LINES:

The side lines of lots shall be approximately at right angles to the street line on straight streets and approximately radial to the street line on curved streets. In subdivisions where slope grading is required, lot lines shall be at the top of slopes when possible. [Formerly numbered Section 27-116; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1104: BLOCK DESIGNATION:

Blocks over one thousand two hundred feet (1,200') are not desirable and shall not be approved, except where the topography or other special condition makes it imperative, in the reasonable discretion of the approving body, to provide longer blocks. [Formerly numbered Section 27-117; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1105: LOT NUMBERS:

All lots shall be numbered beginning with the numeral "1" in each block and continuing consecutively without omission or duplication. No prefix or suffix nor combination of letter and number shall be used. [Formerly numbered Section 27-118; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]



#### 11-1-1106: RESERVED STRIPS OF LAND:

Reserved strips of land controlling the access from adjoining property to streets or other public rights of way may be required by the approving body when the approving body finds that such strips are necessary for the protection of the public welfare or of substantial property rights. Such strips shall be deeded in fee to the City and shall not be open to the public prior to action by the Council. [Formerly numbered Section 27-119; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1107: LOT AREA, WIDTH, DEPTH AND FRONTAGE FOR CONDOMINIUMS:

If the tentative map is for a condominium and the approval of such map will not be detrimental to the public or to properties in the vicinity, the tentative map may be approved with lots or parcels which do not comply with the frontage, lot area, lot width and lot depth requirements of this chapter provided the approving body determines that:

A. The arrangement and design of the common areas is adequate to assure proper access, drainage, sewage disposal, off street parking for each lot and/or parcel of the condominium.

B. The use of the lots and/or parcels is not in violation of the provisions of Title 10 of this code.

C. The maximum number of residential units in the condominium shall be less than forty three thousand five hundred sixty (43,560) (square feet per acre) divided by the required area in square feet multiplied by the number of acres in the condominium.

D. That the boundary of the final map or parcel map will be the same as the boundary of the approved tentative map.

E. That appropriate covenants or other legal provisions shall be accomplished as will assure conformity to, and achievement of, the subdivision plan. [Formerly numbered Section 27-120; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1108: OWNERSHIP OF REQUIRED AREA AND YARD TO BE MAINTAINED:

No portion of a lot necessary to provide the required area per dwelling unit shall be separated in ownership from the portion of the lot on which the dwelling unit is located; nor shall any required yard or other open space around a building be separated in ownership from the portion of the lot on which the building is located. [Formerly numbered Section 27-121; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

11-1-1109: ACCESS TO LOTS ABUTTING A GRADE SEPARATION OR BRIDGE:

Lots which abut on the cut or fill for a railroad or rapid transit grade separation or the approach to an existing or proposed bridge shall be provided with suitable access elsewhere. [Formerly numbered Section 27-122; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 12. DEDICATIONS GENERALLY

### 11-1-1201: LAND INTENDED OR NEEDED FOR PUBLIC USE TO BE DEDICATED:

All parcels of land intended or needed for public use shall be dedicated to the City or offered for dedication before a final map or parcel map is approved. [Formerly numbered Section 27-123; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1202: TITLE POLICY TO ACCOMPANY DEDICATION:

All dedications and offers of dedication shall be accompanied by a certificate of title or policy of title insurance, issued by a title company authorized by the laws of the State to write the same, showing the names of all persons having a recorded interest in the land to be dedicated or offered for dedication. Such certificate or policy shall be submitted to the City Engineer at the time the final map or parcel map is submitted for examination and certification. After the final map is recorded, or if dedications and offers of dedication are by separate instrument, after such instrument or instruments are recorded, a policy of title insurance shall be issued for the benefit and protection of the City. Any expense involved in complying with the provisions of this section shall be borne by the subdivider. [Formerly numbered Section 27-124; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1203: DEDICATION OF DRAINAGE FACILITIES:

If an improved drainage facility is determined to be necessary for the general use of lot owners in the subdivision or for local neighborhood drainage needs, the subdivider shall dedicate an adequate right of way for such facility. [Formerly numbered Section 27-125; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1204: DEDICATION OF WATERCOURSES:

If a subdivision is traversed by a watercourse, channel, stream, creek or swale, the subdivider shall dedicate an adequate right of way for storm drainage purposes. [Formerly numbered Section 27-126; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1205: DEDICATION OF FUTURE STREETS:

Wherever it is determined that a street is necessary for the future subdivision of the property as shown on the subdivision map or for adjoining property, but that the present dedication and construction of such street is not warranted, the subdivider shall conditionally offer such street for dedication. The depths, widths and locations of such streets shall be determined by the Public Works Director. [Formerly numbered Section 27-127; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1206: CONDITIONAL DEDICATION OF PRIVATE STREETS:

A street shown as a private street on a final map or parcel map shall be conditionally offered for dedication. Any such offer of dedication shall remain open and the Council may by resolution at any later date, and without further action by the subdivider, accept and open any such private street for public use, which acceptance shall be recorded in the office of the County Recorder. [Formerly numbered Section 27-128; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1207: DEDICATION OF RIGHTS OF WAY IN PROCESS OF CONDEMNATION:

If an easement for a right of way required under the provisions of this chapter is in the process of condemnation by the City at the time of the filing of a final map or parcel map, the subdivider shall offer the right of way for dedication. [Formerly numbered Section 27-129; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1208: DEDICATION OF ACCESS FOR FIRE PROTECTION:

In areas where, in the opinion of the Fire Chief, there will be a fire hazard to the watershed or any other properties, unobstructed easements not less than fifteen feet (15') wide to provide access for fire protection equipment shall be dedicated from the public street to the subdivision boundary. [Formerly numbered Section 27-130; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1209: DEDICATION OF PUBLIC UTILITY EASEMENTS:

Sanitary sewer, storm drain, and other public utility easements required by the approving body within the subdivision shall be dedicated. [Formerly numbered Section 27-131; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1210: OFFER TO DEDICATE REJECTED STREETS, PATHS, ALLEYS AND STORM DRAIN EASEMENTS TO REMAIN OPEN:

If at the time the final map or parcel map is approved, any streets, paths, alleys, or storm drainage easements are rejected, the offer of dedication shall remain open and the Council may by resolution at any later date, and without further action by the subdivider, rescind its action and accept and open the streets, paths, alleys, or storm drainage easements for public use, which acceptance shall be recorded in the office of the County Recorder. [Formerly numbered Section 27-132; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 13. DEDICATION OF PARK AND RECREATION FACILITIES

### 11-1-1301: DEDICATION OF LAND AND/OR PAYMENT OF FEES FOR PARK AND RECREATION PURPOSES:

Every subdivider who subdivides land shall, for the purpose of providing park and recreation facilities to serve such subdivision dedicate a portion of the land, pay a fee, or do both, as set forth in this article. [Formerly numbered Section 27-133; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1302: LIMITATION ON APPLICABILITY OF ARTICLE:

The provisions of this article shall be applicable only to subdivisions for which tentative maps were applied for and accepted for processing prior to November 1, 1986. [Added by Ord. No. 3045; formerly numbered Section 27-133.1; renumbered by Ord. No. 3058, eff. 2/21/87.]

### 11-1-1303: EXEMPTIONS FROM PARK DEDICATION:

A. The provisions of this article shall not apply to:

1. Subdivisions for which tentative subdivision maps have been filed within thirty (30) days after the effective date of this article;
2. Industrial subdivisions;
3. Condominium projects which consist of the subdivision of airspace in an existing apartment building which is more than five (5) years old when no new dwelling units are added;
4. Commercial subdivisions;
5. Subdivisions of residentially zoned land into four (4) or less parcels, but only as to those parcels having existing single-family dwellings which will continue to remain on such parcels without any increase in the number of dwelling units. [Formerly numbered Section 27-134; renumbered by Ord. No. 3058, eff. 2/21/87; 2397, 2197.]

### 11-1-1304: RELATION OF LAND REQUIRED FOR PARK DEDICATION TO POPULATION DENSITY:

It is hereby found and determined:

A. That the public interest, convenience, health, welfare and safety require that four (4) acres of property for each one thousand (1,000) persons residing within this City be devoted to park and recreation purposes.

B. That said requirement will be satisfied in part by cooperative arrangements between the City and the Burbank Unified School District to make available one and one-half ( $1\frac{1}{2}$ ) acres of property for each one thousand (1,000) persons residing within the City for park and recreation purposes.

C. That the remainder of the required four (4) acres shall be supplied by the requirements of this article and the recreation program of the City. [Formerly numbered Section 27-135; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

11-1-1305: POPULATION DENSITY FOR PARK DEDICATION:

Population density for the purpose of this article shall be:

A. Single-family dwelling units, and duplexes = 3.1 persons per dwelling unit; and

B. Multiple-family dwelling units = 2.1 persons per dwelling unit.

The basis for determining the total number of dwelling units shall be the number of such units permitted by the City on the property included in the subdivision at the time the parcel or final subdivision tract map is filed with the Council for approval. [Formerly numbered Section 27-136; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

11-1-1306: AMOUNT OF LAND FOR PARK DEDICATION:

The amount of land required to be dedicated by a subdivider pursuant to this article shall be based on the gross area included in the subdivision determined by the following formula:

Density Formula	
Net Density Per Dwelling Unit	Percentage of the Gross Area of the Subdivision Required When Park Land is Dedicated
1 dwelling unit per acre or more	0.60
1 dwelling unit per $\frac{1}{2}$ to 1 acre	1.20
1 dwelling unit per 10,000 square feet to $\frac{1}{2}$ acre	1.73
1 dwelling unit per 9,000 to 9,999 square feet	2.70
1 dwelling unit per 8,000 to 8,999 square feet	3.01
1 dwelling unit per 7,000 to 7,999 square feet	3.40
1 dwelling unit per 6,000 to 6,999 square feet	3.90

1 dwelling unit per 5,000 to 5,999 square feet	4.58
10 to 19 dwelling units per acre	5.79
20 to 29 dwelling units per acre	9.30
30 to 39 dwelling units per acre	12.56
40 to 49 dwelling units per acre	15.58
50 to 59 dwelling units per acre	18.40
60 to 69 dwelling units per acre	21.05
70 to 79 dwelling units per acre	23.54
80 to 89 dwelling units per acre	25.85
90 to 99 dwelling units per acre	28.00
100 dwelling units and over per acre	29.07

[Formerly numbered Section 27-137; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1307: AMOUNT OF FEE IN LIEU OF PARK LAND DEDICATION:

Where a fee is required to be paid in lieu of land dedication, the amount of such fee shall be as designated in the Burbank Fee Resolution. [Formerly numbered Section 27-138; renumbered by Ord. No. 3058, eff. 2/21/87; 2930, 2810, 2197.]

#### 11-1-1308: SUBDIVIDER REQUIRED TO DEDICATE PARK LAND GIVEN CREDIT FOR OPEN SPACE:

Where private open space for park and recreation purposes is provided in a proposed subdivision and such space is to be privately owned and maintained by the future residents of the subdivision, such areas shall be credited against the requirement of dedication for park and recreation purposes, as set forth in Section 11-1-1306 of this article, or the payment in fees in lieu thereof, as set forth in Section 11-1-1307 of this article, provided the approving body finds it is in the public interest to do so, and that the following standards are met:

A. That yards, court areas, setbacks and other open areas required to be maintained by the zoning and building regulations of this code are not included in the computation of such open space.

B. That the private ownership and maintenance of the open space is adequately provided for by written agreement;

C. That the use of the open space is restricted to park and recreation purposes, by recorded covenants which run with the land in favor of the future owners of property within the tract and which cannot be defeated or eliminated without the consent of the Council;

D. That the proposed open space is reasonably adaptable for park and recreation use, taking into consideration such factors as size, shape, topography, geology, access, and location of the open space land; and

E. That facilities proposed for the open space are in substantial accordance with the provisions of the recreation element of the General Plan. [Formerly numbered Section 27-139; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1309: CHOICE OF DEDICATING PARK LAND OR PAYING FEE:

A. Procedure: The procedure for determining whether the subdivider is to dedicate land, pay a fee, or both, shall be as follows:

1. Subdivider: At the time of filing a tentative map for approval, the subdivider shall, as a part of such filing, indicate whether he desires to dedicate property for park and recreation purposes, or whether he desires to pay a fee in lieu thereof. If he desires to dedicate land, he shall designate the area on the tentative map as submitted.

2. Action of City: At the time the tentative map is approved, the approving body shall determine as a part of such approval, whether to require a dedication of land within the subdivision, payment of a fee in lieu thereof, or a combination of both.

3. Prerequisites for Approval of Final or Parcel Map: Where dedication is required it shall be accomplished in accordance with the provisions of this article and the other articles of this chapter. Where fees are required they shall be deposited with the City prior to the approval of the final or parcel map. Open space covenants for private park or recreation facilities shall be submitted to the City prior to approval of the final or parcel map and shall be recorded contemporaneously with the final or parcel map.

B. Determination: Whether the approving body accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:

1. Recreation element of the City's General Plan;
2. Topography, geology, access and location of land in the subdivision available for dedication; and
3. Size and shape of the subdivision and land available for dedication.

The determination of the approving body as to whether land shall be dedicated, or a fee charged, or a combination of both, shall be final and conclusive, except for appeal. On subdivisions involving fifty (50) lots or less, only the payment of fees shall be required. [Formerly numbered Section 27-140; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1310: COMMENCEMENT OF PARK DEVELOPMENT:

At the time the final map is approved or in the case of a parcel map, on being advised of the Board's approval, the Council shall specify the time when development of the park and recreation facilities will begin. [Formerly numbered Section 27-141; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]



11-1-1311: LIMITATIONS ON USE OF DEDICATED PARK LAND AND FEES:

The land and fees received under this article shall be used only for the purpose of providing park and recreation facilities to serve the subdivision for which received and the location of the land and amount of fees shall bear a reasonable relationship to the use of the park and recreation facilities by the future inhabitants of the subdivision. [Formerly numbered Section 27-142; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 14. DEDICATION OF SCHOOL SITES

### 11-1-1401: DWELLING UNIT DEFINED FOR SCHOOL SITE DEDICATION:

DWELLING UNIT: Means a place of residence and may be located in either a single or multiple dwelling unit building. [Formerly numbered Section 27-143; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1402: SUBDIVIDERS MUST OFFER SCHOOL SITE:

Every subdivider and his successors who, within three (3) years or less, develop or complete the development of one or more subdivisions comprised of a single parcel or contiguous parcels having more than four hundred (400) dwelling units within the Burbank Unified School District shall dedicate to the school district such lands as the Council shall deem to be necessary for the purpose of constructing thereon schools necessary to assure the residents of the subdivision adequate elementary school service. [Formerly numbered Section 27-144; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1403: EXEMPTION FROM SCHOOL SITE DEDICATION:

The provisions of this article shall not be applicable to a subdivider who has owned the land being subdivided for more than ten (10) years prior to the filing of the tentative maps. [Formerly numbered Section 27-145; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1404: NONACCEPTANCE OF OFFER TERMINATES SCHOOL SITE DEDICATION:

The requirement of dedication shall automatically terminate unless the Burbank Unified School District offers to enter into a binding commitment with the subdivider to accept the dedication within thirty (30) days after the requirement is imposed by the Council. [Formerly numbered Section 27-146; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1405: TIME TO DEDICATE SCHOOL SITE:

The required dedication may be made at any time prior to the construction of the four hundred first dwelling unit. [Formerly numbered Section 27-147; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1406: PAYMENTS TO SUBDIVIDER FOR SCHOOL SITE DEDICATION:

The Burbank Unified School District shall, if it accepts the dedication, repay to the subdivider or his successors the subdivider's original cost of the dedicated land, plus a sum equal to the total of the following amounts:

A. The cost of any improvements to the dedicated land since acquisition by the subdivider.

B. The taxes assessed against the dedicated land from the date demand for dedication is made.

C. Any other costs incurred by the subdivider in maintenance of such dedicated land, including interest costs incurred on any loan covering such land. [Formerly numbered Section 27-148; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 15. IMPROVEMENTS

### 11-1-1501: IMPROVEMENT PLANS GENERALLY:

Plans, profiles and specifications for improvements, including street improvements, shall be submitted to the Public Works Director not later than the time the parcel or final map is submitted for checking and certification. Full details of the improvements shall be shown. [Formerly numbered Section 27-149; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1502: GRADING PLAN:

A separate grading plan and specifications shall be filed and a permit obtained in accordance with the provisions of Title 7, Chapter 1, Article 1 of this code. All grading shall be done in accordance with the provisions of said article. [Formerly numbered Section 27-150; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1503: STREET IMPROVEMENT PLANS:

Plans for street improvements shall include the grade of existing streets and the design grade of future streets, provided the Public Works Director determines that such grades are necessary to properly locate applicable slope and drainage easements. [Formerly numbered Section 27-151; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1504: STREET IMPROVEMENTS:

Each street shall be improved by full width grading, full width paving of the roadway, construction of Portland cement concrete curb and gutter, installation of drainage facilities, trees, street lights and sidewalks, and such other improvements including, but not limited to, street name signs, regulatory signs and warning signs, as are determined necessary by the approving body for the appropriate development of the subdivision. Alleys shall be improved to a width of not less than twenty feet (20'). All such improvements shall be constructed and installed in compliance with City specifications. [Formerly numbered Section 27-152; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1505: INSPECTION OF SUBDIVISION IMPROVEMENTS:

All construction shall be subject to inspection by the Public Works Director. The subdivider shall arrange for such inspection before starting work on any improvement. [Formerly numbered Section 27-154; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1506: IMPROVEMENT OF BOUNDARY STREETS:

If an existing street or portion thereof constitutes a boundary of the subdivision and such street is unimproved, or the approving body determines that the street as improved is insufficient for the general use of the lot owners in the subdivision and for local neighborhood needs, the approving body may disapprove the design of the subdivision unless the subdivider improves or agrees to improve the street to the same standards as required in this article for streets in the subdivision. [Formerly numbered Section 27-156; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1507: REMODELING OF EXISTING STREETS IN SUBDIVISION:

Whenever the construction of a new street in a subdivision requires the remodeling of an existing street in the subdivision, such remodeling shall comply with the requirements of this article. [Formerly numbered Section 27-157; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1508: PROTECTIVE IMPROVEMENTS:

The subdivider shall provide such protective structures or devices, including planting and sprinkling systems, as the approving body deems necessary for the proper functioning and maintenance of the improvements required, to remove a flood or geological hazard and as are necessary for the protection of property adjacent to the subdivision. Temporary protective improvements may be required prior to, or concurrent with, the construction of permanent improvements. The temporary protective improvements shall be installed in a manner approved by the Public Works Director. [Formerly numbered Section 27-158; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1509: DRAINAGE IMPROVEMENTS:

The subdivider shall provide such drainage facilities as are considered necessary by the approving body for the drainage requirements of the subdivision. Such facilities shall be constructed in accordance with standards and specifications approved by the Public Works Director. [Formerly numbered Section 27-159; renumbered by Ord. No. 3058, eff. 2/21/87.]

#### 11-1-1510: FENCING WATERCOURSES OR DRAINAGE FACILITIES:

The subdivider shall provide a chainlink fence or its equivalent, not less than five feet (5') high, along each side of dedicated rights of way for watercourses and drainage facilities within the subdivision if the approving body finds that the location, shape, slope, width, velocity of water, or other characteristics of the watercourse or drainage facility makes the fencing of the right of way necessary for the protection of the general public. Such fencing shall have an adequate number of self-closing and locking gates to facilitate cleaning and maintenance and shall be constructed so that there are no apertures below the fence large enough to permit passage of a child. [Formerly numbered Section 27-160; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1511: MASONRY WALLS FOR KEY LOTS:

The subdivider may be required to construct a suitable masonry wall between side and rear lots where they abut. [Formerly numbered Section 27-161; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1512: SANITARY SEWERS:

The subdivider shall install sanitary sewers to serve each lot in the subdivision and all off site sewers required to carry the sewage to the nearest public sewer. Such sewers shall be designed and constructed in accordance with City specifications and Title 8, Chapter 1 of this code. [Formerly numbered Section 27-162; renumbered by Ord. No. 3058, eff. 2/21/87; 2589, 2197.]

#### 11-1-1513: SIDEWALKS:

The subdivider shall construct Portland cement concrete sidewalks on both sides of all streets in the subdivision. The sidewalks shall be at least five feet (5') wide and three and one-half inches ( $3\frac{1}{2}$ " ) thick, and otherwise constructed in accordance with City specifications. Sidewalks on one side of a street may be deleted where the approving body determines that they are not needed. [Formerly numbered Section 27-163; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1514: STREET LIGHTING SYSTEM:

The subdivider shall provide a continuous street lighting system on ornamental standards throughout the subdivision. The plans and specifications for such system shall be submitted to the General Manager of the Public Service Department for approval before the parcel or final map is submitted for certification. The installation of the system shall be subject to inspection by the Public Service Department. [Formerly numbered Section 27-164; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1515: UNDERGROUND UTILITIES:

Utility lines which serve the subdivision, including, but not limited to, electric, communications, street lighting and cable television, shall be placed underground. The subdivider shall make the necessary arrangements for the installation of such facilities in accordance with the requirements of each such utility and subject to its inspection and approval. Appurtenances and associated equipment such as, but not limited to, surface mounted transformers, pedestal mounted terminal boxes and meter cabinets, and concealed ducts in an underground system may be placed aboveground if acceptable to the utility concerned. [Formerly numbered Section 27-165; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1516: WATER SYSTEM AND FIRE HYDRANTS:

The subdivider shall install a water system and fire hydrants in the subdivision and shall pay to the Public Service Department such amount as is required, in the judgment of its General Manager, to conform off tract water facilities to the requirements of the subdivision. The design of the water distribution system and fire hydrants for the subdivision and of all off site water facilities shall conform to the requirements of the General Manager, and installation of the water system and fire hydrants shall comply with all applicable statutes, ordinances, rules and regulations. Unless the water system and fire hydrants have been constructed and accepted, the agreement and the improvement security required by Section 11-1-604 of this chapter shall provide therefor. [Formerly numbered Section 27-166; renumbered by Ord. No. 3058, eff. 2/21/87; 2274, 2197.]

#### 11-1-1517: STREET TREES AND PLANTS:

The subdivider shall plant and install trees in the parkways of the subdivision. If the subdivision contains service road islands, street trees and plants shall be installed in the islands. The type or species and location of the trees and plants shall be subject to the approval of the Park, Recreation and Community Services Director. When a service road island is provided, the subdivider shall install a stub-out water line consisting of a minimum two inch (2") feeder pipe to, and centrally located within, the island. [Formerly numbered Section 27-167; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

#### 11-1-1518: ACCEPTANCE OF IMPROVEMENTS:

After the parcel or final map has been recorded, all subdivision improvements properly installed in accordance with previously approved plans and specifications shall be accepted by the Public Works Director and the subdivider and any other person having an interest in such completion shall be notified in writing by the Public Works Director of such acceptance. At the time of acceptance, the City shall assume maintenance of the improvements except as otherwise provided in Section 7-1-124 of this code and any other provisions of this code. [Formerly numbered Section 27-168; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

## ARTICLE 16. SECURITY FOR IMPROVEMENTS

### 11-1-1601: IMPROVEMENT SECURITY:

The improvement agreement referred to in Section 11-1-604 of this chapter shall be accompanied by improvement security as defined and required by Chapter 5 of the Subdivision Map Act in the amounts and for the following purposes:

A. An amount determined by the Council equal to one hundred percent (100%) of the total estimated cost of the improvement or of the act to be performed, conditioned upon the faithful performance of the act or agreement, and

B. An additional amount determined by the Council equal to one hundred percent (100%) of the total estimated cost of the improvement or the performance of the required act, securing payment to the contractor, his subcontractors, and to persons furnishing labor, materials or equipment to them for the improvement or the performance of the required act.

C. An amount determined by the Council necessary to guarantee the work for a period of one year following the completion and acceptance thereof against any defective work or labor done, or defective materials furnished. [Formerly numbered Section 27-169; renumbered by Ord. No. 3058, eff. 2/21/87; 2490, 2197.]

### 11-1-1602: BONDS AND INSTRUMENTS OF CREDIT:

When corporate surety bonds are furnished as improvement security, they shall be issued by a surety company authorized to do business in the State and be subject to approval of the City Attorney as to form. If the subdivider deposits instruments of credit, he shall assign such instruments to the City. [Formerly numbered Section 27-170; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1603: PARTIAL RELEASE OF IMPROVEMENT SECURITY:

When any portion of an improvement has actually been fully completed and accepted, the Public Works Director may in his discretion authorize a reduction in the improvement security in accordance with the provisions of Section 11612 [Chapter 5] of the Subdivision Map Act. [Formerly numbered Section 27-171; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]

### 11-1-1604: FORFEITURE OF IMPROVEMENT SECURITY:

Upon the failure of a subdivider to complete any improvement within the time specified in the improvement agreement or contract, the Council may, upon notice in writing of not less than nineteen (19) days served upon the person signing such agreement or contract, or upon notice in writing of not less than twenty (20) days served by registered mail addressed to the last known address of the person signing such agreement or contract, determine that



the subdivider is in default and may cause to be forfeited to the City such portion of the improvement security as may be necessary to complete the improvement work. Notice in writing shall also be given in the same manner to any surety company or financial institution which furnished all or any part of the improvement security. [Formerly numbered Section 27-172; renumbered by Ord. No. 3058, eff. 2/21/87; 2197.]